

REMARKS

By this Amendment, Applicants amend claims 1 and 11 and add claims 22 and 23. Applicants also cancel claim 21 without prejudice or disclaimer of the subject matter contained therein. Thus, claims 1, 3-11, 13-20, 22, and 23 are pending. No new matter is added. Support for amended claims 1 and 11 and new claims 22 and 23 may be found at least on page 7, line 22 - page 8, line 24; page 10, line 14 - page 11, line 10; page 15, line 4 - page 16, line 3; page 21, lines 6 - 18, abstract; Fig. 3; and Fig. 6. Applicants respectfully request consideration and prompt allowance of the pending claims at least in light of the following remarks.

Applicants respectfully submit that entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance, for at least the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration because the amendments amplify issues previously discussed throughout prosecution, and in particular the characteristics of the claimed activity stream; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. Applicants respectfully submit that the amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Applicants thus respectfully request entry of the amendments.

The Office Action rejects claim 21 under 35 U.S.C. §112, first paragraph, for lack of written description.

Applicants maintain that the grounds for this rejection are improper. However, in order to expedite prosecution, by this Amendment, Applicants cancel claim 21 without prejudice or disclaimer of the subject matter contained therein. Accordingly, the rejection is

inconsistent with the pending claims. Applicants respectfully request withdrawal of the rejection.

The Office Action rejects claims 1, 3-11, and 3-21 under 35 U.S.C. §102(e) over U.S. Patent 6,670,970 to Bonura et al. (hereinafter "Bonura"). Applicants respectfully traverse the rejection.

As discussed above, claim 21 is canceled. Accordingly, the rejection of claim 21 is inconsistent with the pending claims. Applicants respectfully request withdrawal of the rejection of claim 21.

Bonura does not disclose an "activity stream based on an activity that is beyond a user's perception," as recited in amended claims 1 and 11. As discussed in detail in the December 7, 2004 personal interview and Applicants' December 10, 2004 Amendment, and identified by both the September 24, 2004 and January 26, 2005 Office Actions, Bonura discloses a system and method of altering the visual and/or manipulative translucency of a floating window within a graphical user interface (GUI) based on information within a floating window is updated (see e.g., abstract; col. 3, lines 39-49, col. 3, line 56 - col. 4, line 6; col. 5, line 53 - col. 6, line 28; col. 7, lines 44-67; and Fig. 6).

More importantly, according to Bonura, a floating window begins to become translucent when the information within the window has not changed (abstract; col. 3, lines 39-49, col. 3, line 56 - col. 4, line 6; and col. 5, line 53 - col. 6, line 28), or when the information within the window has changed (column 6, lines 2-5). In either case, although a user may not be paying attention to the window, the window is clearly within the user's perception, i.e., the user may look at the window to determine whether or not the information has changed. The fact that the window is within the user's perception is supported by section 8 of the "Response to Arguments" section of the January 26, 2005 Office Action, which

argues in detail that the floating window is within the user's focus of attention at all times (pages 9 and 10 of January 26, 2005 Office Action).

As discussed in detail in the December 7, 2004 personal interview and Applicants' December 10, 2004 Amendment, and identified by both the September 24, 2004 and January 26, 2005 Office Actions, the presence or lack of information on a floating window is the only activity stream, disclosed, taught, or suggested by Bonura.

Accordingly, Bonura cannot reasonably be considered to disclose, teach, or suggest an "activity stream based on an activity that is beyond a user's perception," as recited in amended claims 1 and 11. Claims 1 and 11 are thus patentable over Bonura. Further applicants respectfully submit that claims 3-10, and 3-20 are patentable for at least the reasons that claims 1 and 11 are patentable, as well as for the additional features they recite. Applicants respectfully request withdrawal of the rejection of claims 1, 3-11, and 3-20.

In view of at least the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1, 3-11, and 13-20, 22, and 23.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:JOC/tea

Date: April 5, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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